

### REMARKS

Claims 1-10 and 14-21 have been cancelled. Claims 13, 22, 28, 31, 36, and 39 have been amended to clarify the subject matter regarded as the invention. Claims 11-13, 22, and 24-43 are pending.

#### *Claim Rejections – 35 U.S.C. §102(e)*

The Examiner has rejected Claims 11-13, 22, and 24-43 under 35 U.S.C. §102(e) as being anticipated by Woolston (U.S. Pat. No. 5,845,265). The rejections are respectfully traversed.

Woolston discloses a method for creating a computerized market for used and collectible goods. A user in Woolston is allowed to provide content such as the owner's name, reserve price, and a market or auction designation (Woolston, col. 10, lines 17-18). Designating the reserve price of an item and determining whether to list the item in an auction is not the same as receiving from a user "at least one market protocol," the "protocol including at least one market phase, wherein the market phase is defined by one or more user selectable trading primitives that dictate the behavior of one or more **components** in a programmable auction server" as recited in Claim 22 as amended. Support for the amendment may be found, without limitation, on page 7 of the Specification. Therefore, Claim 22 is believed to be allowable.

Claims 11-13 and 24-27 depend from Claim 22 and are believed to be allowable for the same reasons described above.

Claims 28-35 recite methods executed by the systems of Claims 22, 11-13, and 24-27, respectively. Therefore, it is believed that Claims 28-35 are also allowable.

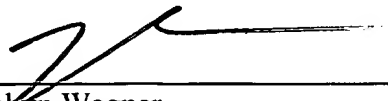
Claims 36-43 recite program code for carrying out the systems of Claims 22, 11-13, and 24-27, respectively. Therefore, it is believed that Claims 36-43 are also allowable.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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